

## **PUBLIC NOTICE**

File Number: NRS 14.099

Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

**APPLICANT:** Brian King

Tennessee Children's Home 804 Branham Hughes Circle Spring Hill, TN 37174

931-486-1231

**LOCATION:** Unnamed tributary to McCutcheon Creek, Tennessee Children's Home property at Highway 31/Kedron Road, Spring Hill, Maury County, TN (Lat: 35.747105/Lon: -86.934236)

**PROJECT DESCRIPTION:** The applicant proposes to extend the existing culvert under Highway 31 by a total of 408 feet to develop approximately 5 acres by constructing new group houses to expand the existing Children's Home services.

Impact 1: Latitude: 35.747105 Longitude: -86.934236

Unnamed tributary to McCutcheon Creek

Extend the existing ~8X5.5 ft. culvert under Highway 31 by a total of 408 feet of 10'X6' box culvert. The impacts to this tributary would be mitigated at a second property two miles northwest of the impact site that is within the same watershed. The mitigation would involve cattle exclusion, willow tree planting along both banks and a permanent protective deed restriction along 2,280 feet of McMeen Branch, a tributary of Walden Branch, located on Doctor Robertson Road from Lat: 35.759141/ Lon: -86.975612 to Lat: 35.753151/ Lon: -86.976470. The ratio would be approximately 5.6:1 and would satisfy the mitigation requirement.

**DEGRADATION:** In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities will not result in degradation to water quality.

**WATERSHED / WATERBODY DESCRIPTION:** Unnamed tributary to McCutcheon Creek is in the Lower Duck River watershed. The Lower Duck River Watershed is located in Middle Tennessee and includes parts of Dickson, Giles, Hickman, Humphreys, Lawrence, Lewis, Maury, Perry and Williamson counties. It drains approximately 1,548 square miles and empties

to the Tennessee Western Valley Watershed. For more information on this watershed please visit http://www.state.tn.us/environment/water/watersheds/lower-tennessee-river.shtml

McCutcheon Creek (TN06040003034\_0300) is in the Inner and Outer Nashville Basin Ecoregions (71h & 71i). The channel dimensions are as follows: channel bottom width 6-8', channel top width 8-10', water depth (1-3"), and bank height (3-4'). Typical substrate in this section is comprised of gravel, cobble, and clay.

McCutcheon Creek (TN06040003034\_0300) was assessed in 2005. It is supporting its designated uses. The stream is available for additional impacts to habitat.

Stream Name / ID #: McCutcheon Creek (TN06040003034\_0300)

**Ecoregion:** Inner and Outer Nashville Basin Ecoregions (71h & 71i).

**Stream Dimension:** Channel bottom width 6-8'

Chanel top width 8-10'
Water depth 1-3"
Bank height 3-4'

**Substrate:** gravel, cobble, and clay

Fish and aquatic life
Recreation
Industrial water supply
Irrigation
Livestock watering & wildlife

fully supporting
fully supporting
fully supporting
fully supporting
fully supporting

This stream is available for additional impacts to habitat.

Assessment Date: 2005

PERMIT COORDINATOR: Brian Canada

**FACTORS CONSIDERED:** In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

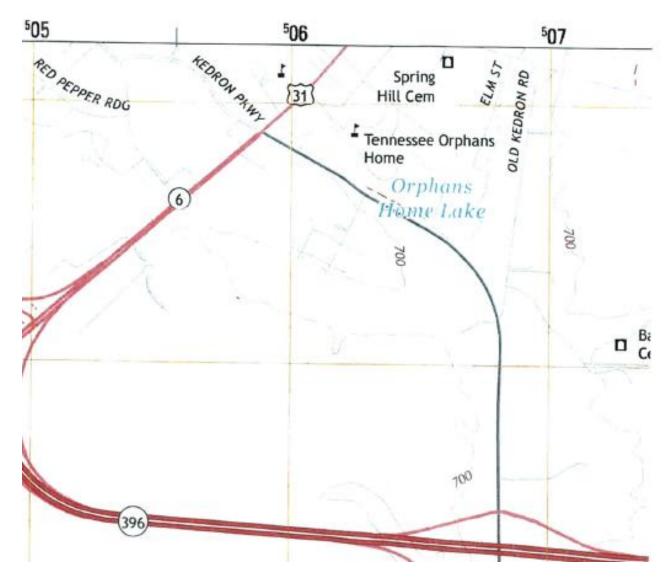
**COMMENTING:** Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

**PUBLIC HEARING**: Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

**APPEAL:** A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Tisha Benton, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 11<sup>th</sup> floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

**FILE REVIEW:** The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation Division of Water Resources, Natural Resources Unit William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 11th Floor Nashville, Tennessee 37243



General Location



Location of the proposed mitigation site on Dr. Robertson Road.

## PERMIT(ARAP) REQUEST - MITIGATION PLAN ON DR. ROBINSON ROAD TO PROPOSED AQUATIC RESOURCE ALTERATION TENNESSEE CHILDREN'S HOME MITIGATE GRADING PLAN



US HIGHWAY 31 AND KEDRON ROAD NE CORNER OF INTERSECTION OF (APPROX 11.5 ACRES)

TN Children's US 31(Main Street)/Kedron Road 103 Acre Site 408 LF of Box Culvert(je Loss of Resource\*)

Mitigation Factor of 2280/408 = 5.58

Plantings shall include cypres, arbrivities, and other native tress in buffer.

as needed and will be suject to annual inspections for the first exclude cattle from the buffer area as shown may be implored Gates, fence and other means normal and acceptable to IN DEPT OF ENVIRONMENT

AND CONSERVATION MAY 0 5 2015

DIV OF WATER RESOURCES RECEIVED

M-1.0

MITIGATION

TENNESSEE CHILDRENS HOME 804 BRANHAM HUGHES CIRCLE SPRING HILL, TENNESSEE 37174



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